

EXHIBIT H

DEPOSITION OF WENDELL DEAN VAN METER

December 8, 2006

Pages 1 through 103

**CONDENSED TRANSCRIPT AND CONCORDANCE
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<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE MIDDLE DISTRICT OF ALABAMA</p> <p>3 EASTERN DIVISION</p> <p>4</p> <p>5 WENDELL DEAN VAN METER,</p> <p>6 NEVA JANE VAN METER,</p> <p>7</p> <p>8 Plaintiffs,</p> <p>9</p> <p>10 Vs. CIVIL ACTION NO.</p> <p>11 3:06-CV-583-DRB</p> <p>12 THE CITY OF LANETT,</p> <p>13 etc., et al.,</p> <p>14 Defendants.</p> <p>15 *****</p> <p>16 DEPOSITION OF WENDELL DEAN VAN METER,</p> <p>17 taken pursuant to stipulation and agreement before</p> <p>18 Lisa J. Nix, Registered Professional Reporter and</p> <p>19 Commissioner for the State of Alabama at Large, in</p> <p>20 the Law Offices of James Ingram and William Harris,</p> <p>21 2005 South Broad Avenue, Lanett, Alabama on Friday,</p> <p>22 December 8, 2006, commencing at approximately</p> <p>23 8:50 a.m. CST.</p> <p>*****</p>	<p>1 EXHIBIT INDEX</p> <p>2 MAR</p> <p>3 DEFENDANT'S EXHIBIT</p> <p>4 1 12/7/05 notice of appeal to Joel Holley 36</p> <p>5 from Wendell Dean Van Meter</p> <p>6 2 12/7/05 Decision Upon Disciplinary/Due 37</p> <p>7 Process Hearing</p> <p>8 3 12/2/05 letter to Lt. Dean VanMeter from 43</p> <p>9 Joel Holley re: Disciplinary</p> <p>10 Action/Police Chief R. Docimo's</p> <p>11 Recommendation</p> <p>12 4 Minutes of council meeting held 50</p> <p>13 12/19/05; Minutes of council meeting</p> <p>14 held 12/14/05</p> <p>15 *****</p> <p>16 STIPULATION</p> <p>17 It is hereby stipulated and agreed by and</p> <p>18 between counsel representing the parties that the</p> <p>19 deposition of WENDELL DEAN VAN METER is taken</p> <p>20 pursuant to the Federal Rules of Civil Procedure</p> <p>21 and that said deposition may be taken before Lisa</p> <p>22 J. Nix, Registered Professional Reporter and</p> <p>23</p>
Page 2	Page 4
<p>1 APPEARANCES</p> <p>2</p> <p>3 FOR THE PLAINTIFF:</p> <p>4 Mr. James Ingram</p> <p>5 Mr. William Harris</p> <p>6 Attorneys at Law</p> <p>7 2005 South Broad Avenue</p> <p>8 Post Office Box 1175</p> <p>9 Lanett, AL 36863</p> <p>10</p> <p>11 FOR THE DEFENDANT:</p> <p>12 Mr. T. Randall Lyons</p> <p>13 WEBSTER, HENRY, LYONS & WHITE</p> <p>14 Attorneys at Law</p> <p>15 418 Scott Street</p> <p>16 Montgomery, Alabama</p> <p>17 *****</p> <p>18 EXAMINATION INDEX</p> <p>19 WENDELL DEAN VAN METER</p> <p>20 BY MR. LYONS 5</p> <p>21 BY MR. INGRAM 81</p> <p>22 BY MR. LYONS 92</p> <p>23 BY MR. INGRAM 99</p> <p>BY MR. LYONS 101</p>	<p>1 Commissioner for the State of Alabama at Large,</p> <p>2 without the formality of a commission, that</p> <p>3 objections to questions other than objections as to</p> <p>4 the form of the question need not be made at this</p> <p>5 time but may be reserved for a ruling at such time</p> <p>6 as the said deposition may be offered in evidence</p> <p>7 or used for any other purpose by either party</p> <p>8 provided for by the Statute.</p> <p>9 It is further stipulated and agreed by and</p> <p>10 between counsel representing the parties in this</p> <p>11 case that the filing of said deposition is hereby</p> <p>12 waived and may be introduced at the trial of this</p> <p>13 case or used in any other manner by either party</p> <p>14 hereto provided for by the Statute regardless of</p> <p>15 the waiving of the filing of the same.</p> <p>16 It is further stipulated and agreed by and</p> <p>17 between the parties hereto and the witness that the</p> <p>18 signature of the witness to this deposition is</p> <p>19 hereby waived.</p> <p>20 *****</p> <p>21</p> <p>22</p> <p>23</p>

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<p>1 WENDELL DEAN VAN METER</p> <p>2 The witness, after having first been duly</p> <p>3 sworn to speak the truth, the whole truth and</p> <p>4 nothing but the truth testified as follows:</p> <p>5 EXAMINATION</p> <p>6 BY MR. LYONS:</p> <p>7 Q. Could I get you to state your full name for</p> <p>8 the record, please, sir.</p> <p>9 A. Wendell Dean Van Meter.</p> <p>10 Q. My name is Randy Lyons, and I represent the</p> <p>11 City of Lanett in a lawsuit that you and</p> <p>12 your wife have filed.</p> <p>13 I'm here to take your deposition. I'm</p> <p>14 going to ask you a series of questions.</p> <p>15 And when I'm asking you these questions, if</p> <p>16 I ask you anything you don't understand,</p> <p>17 please stop me and tell me and I'll</p> <p>18 rephrase it or re-ask it to where you and</p> <p>19 I understand each other. Okay?</p> <p>20 A. Yes, sir.</p> <p>21 Q. And if you answer my question, I'm going to</p> <p>22 assume you understood it.</p> <p>23 A. Yes, sir.</p>	<p>1 Q. Were you injured in an automobile accident</p> <p>2 or --</p> <p>3 A. No, sir, just the vehicle and damages.</p> <p>4 Q. Any other case you've ever been a plaintiff</p> <p>5 in other than that one and this one?</p> <p>6 A. No, sir.</p> <p>7 Q. So you just sued over property damage?</p> <p>8 A. Yes, sir.</p> <p>9 Q. I'm going to ask you a series of questions</p> <p>10 I ask everybody, and I don't mean to offend</p> <p>11 you if I ask -- by these questions.</p> <p>12 One of them is, have you ever been</p> <p>13 arrested for anything?</p> <p>14 A. No, sir.</p> <p>15 Q. I didn't think so.</p> <p>16 A. Well, I've been arrested, but not</p> <p>17 convicted.</p> <p>18 Q. Okay. What were you arrested for?</p> <p>19 A. Verbal harassment.</p> <p>20 Q. But you were not convicted of that?</p> <p>21 A. No, sir.</p> <p>22 Q. And you've never been convicted of any</p> <p>23 crime?</p>
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<p>1 Q. Have you given a deposition before today?</p> <p>2 A. Yes, sir. Not on this case.</p> <p>3 Q. No. I mean, in other matters.</p> <p>4 A. Yes, sir.</p> <p>5 Q. How many different depositions do you think</p> <p>6 you've given?</p> <p>7 A. Lord, I don't -- I can't remember. 27</p> <p>8 years, I don't ...</p> <p>9 Q. All of them having to do with being a law</p> <p>10 enforcement officer?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Okay. Have you ever been sued in your</p> <p>13 individual capacity or all as just a police</p> <p>14 officer?</p> <p>15 A. As a police officer.</p> <p>16 Q. Okay. So you, yourself, personally have</p> <p>17 never been sued by anyone?</p> <p>18 A. No, sir.</p> <p>19 Q. Have you ever sued anyone else other than</p> <p>20 this lawsuit that we're here about?</p> <p>21 A. Yes, sir.</p> <p>22 Q. What other kind of lawsuit have you had?</p> <p>23 A. Over a wrecked vehicle.</p>	<p>1 A. No, sir. A speeding ticket.</p> <p>2 Q. Well, I meant other -- I should have</p> <p>3 clarified it that way, but other than a</p> <p>4 speeding ticket.</p> <p>5 A. No, sir.</p> <p>6 Q. Have you ever filed for disability?</p> <p>7 A. No, sir.</p> <p>8 Q. Have you ever filed bankruptcy?</p> <p>9 A. No, sir.</p> <p>10 Q. Ever been injured on the job?</p> <p>11 A. Yes, sir.</p> <p>12 Q. How were you injured on the job?</p> <p>13 A. Let's see. The first time I got my nose</p> <p>14 broke in a fight with the City. Well, I</p> <p>15 wasn't fighting with the City. I was</p> <p>16 representing the City.</p> <p>17 Q. You were a police officer for the City?</p> <p>18 A. Right. Correct.</p> <p>19 Q. All right. Broken nose. What else? How</p> <p>20 else have you been injured on the job?</p> <p>21 A. Cracked ribs.</p> <p>22 Q. Okay.</p> <p>23 A. Strained back.</p>

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<p>1 Q. All right.</p> <p>2 A. I think that's about it.</p> <p>3 MR. HARRIS: Did you get hurt when</p> <p>4 you were in the wreck with the</p> <p>5 cow?</p> <p>6 THE WITNESS: No, sir.</p> <p>7 Q. What's your present address, please, sir?</p> <p>8 A. 1735 35th Avenue Southwest, Lanett, Alabama</p> <p>9 36863.</p> <p>10 Q. How long have you lived at that address?</p> <p>11 A. 32 years.</p> <p>12 Q. Who lives there with you, please, sir?</p> <p>13 A. My wife and my granddaughter.</p> <p>14 Q. And what's your wife's name?</p> <p>15 A. Neva Jane Van Meter.</p> <p>16 Q. And how long have y'all been married?</p> <p>17 A. 32 years.</p> <p>18 Q. What's your date of birth?</p> <p>19 A. March 10th, 1956.</p> <p>20 Q. Your social security number?</p> <p>21 A. 424-68-9148.</p> <p>22 Q. Do you have an Alabama driver's license?</p> <p>23 A. Yes, sir.</p>	<p>1 borrow a truck for undercover details and</p> <p>2 stuff like that.</p> <p>3 Q. Okay. What's your educational background?</p> <p>4 A. High school.</p> <p>5 Q. What year did you graduate?</p> <p>6 A. '73.</p> <p>7 Q. Any military?</p> <p>8 A. No, sir.</p> <p>9 Q. No education after high school?</p> <p>10 A. Not other than schools the City sent me to.</p> <p>11 Q. Police school, police academy, things like</p> <p>12 that?</p> <p>13 A. Police academy, some things like that.</p> <p>14 Q. And you told me earlier before we started</p> <p>15 the deposition, but you worked for the City</p> <p>16 of Lanett for 27 years?</p> <p>17 A. I started in 1978. I left in '80. Went to</p> <p>18 work with the sheriff's department until</p> <p>19 '82. Come back to the City.</p> <p>20 '85, I went to Diversified Products in</p> <p>21 Opelika. '88, I come back to the City.</p> <p>22 Been there ever since.</p> <p>23 Q. Let me make sure I got it right. 1978, you</p>
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<p>1 Q. What's its number?</p> <p>2 A. I haven't a clue.</p> <p>3 Q. Do you have it with you?</p> <p>4 A. Yes, sir.</p> <p>5 Q. 3944129, and --</p> <p>6 A. Commercial.</p> <p>7 Q. You have a commercial license?</p> <p>8 A. Yes, sir.</p> <p>9 Q. I see it at the top. Okay.</p> <p>10 What kind of commercial vehicles are</p> <p>11 you licensed to drive?</p> <p>12 A. Everything but double and triple trailers</p> <p>13 and HAZMAT.</p> <p>14 Q. How long have you had a CDL?</p> <p>15 A. Ten or 12 years.</p> <p>16 Q. And you have a restriction for corrective</p> <p>17 lenses?</p> <p>18 A. Yes, sir.</p> <p>19 Q. Has your license ever been suspended or</p> <p>20 revoked for anything?</p> <p>21 A. No, sir.</p> <p>22 Q. Have you ever driven over-the-road trucks?</p> <p>23 A. On drug details, yes, sir. I mean, I</p>	<p>1 started with the City of Lanett with the</p> <p>2 police department?</p> <p>3 A. Yes, sir.</p> <p>4 Q. And were you just --</p> <p>5 A. Patrolman.</p> <p>6 Q. Patrolman. Okay. And then you were there</p> <p>7 until 1980?</p> <p>8 A. Yes, sir.</p> <p>9 Q. And in '80 to '82, you left and went to the</p> <p>10 sheriff's department to be a deputy?</p> <p>11 A. Chambers County. (Nods head up and down.)</p> <p>12 Q. Okay. And then you left there in 1982, and</p> <p>13 you worked until '85 at Diversified</p> <p>14 Products?</p> <p>15 A. No, sir.</p> <p>16 Q. Oh, I'm sorry.</p> <p>17 A. I come back to Lanett.</p> <p>18 Q. Came back to Lanett?</p> <p>19 A. Yes, sir.</p> <p>20 Q. I knew I would get that wrong. All</p> <p>21 right. To be a patrolman again?</p> <p>22 A. Well, I handled a K-9 unit and I worked</p> <p>23 investigation.</p>

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<p>1 Q. And you were there from '82 to '85, and 2 then you went to DP? 3 A. Correct. 4 Q. How long were you at Diversified Products? 5 A. About three years, two and a half, three 6 years. I come back to the City in '88. 7 Q. And from 1988 until your termination, you 8 were with the City of Lanett? 9 A. Correct. 10 Q. And your position when you left the City 11 was lieutenant? 12 A. Yes, sir. 13 Q. Is that the highest rank you had ever 14 achieved with the City? 15 A. Yes, sir. 16 Q. While you were employed with the City of 17 Lanett, were you ever -- did you ever 18 receive any disciplinary action? 19 A. Yes, sir. 20 Q. Can you remember what those were for? 21 A. Let's see. Under Jones, when Jones was 22 chief, I let Mr. Lanier's daughter out of 23 jail. She was 18 years old, charged with a</p>	<p>1 A. Dorman retired in '80. Jimmy Smith come in 2 in '84. 3 Q. Okay. And I remember Jimmy Jones, but I 4 just didn't ... 5 A. Let's see. I've been through seven chiefs 6 and eight mayors. 7 Q. Well, what we are here about today is your 8 lawsuit about your termination from the 9 City of Lanett, and I understand that stems 10 from you having possession of some 11 personnel files; is that correct? 12 A. Yes, sir. 13 Q. Okay. Tell me how it was that you came to 14 be in possession of these personnel files. 15 A. I was on duty. I rode through the parking 16 lot of the city hall complex. Fire 17 department personnel were throwing files -- 18 pulling files from -- I call it a Banker 19 Box and throwing them in 55-gallon drums. 20 They were looking at them, going 21 through them, and I asked them what they 22 was doing. They told me they was throwing 23 away old files. They was cleaning out an</p>
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<p>1 DUI. I let them bond her out instead of 2 making her stay the mandatory hours. 3 Q. Okay. And what was the discipline for 4 that? 5 A. Eight days without pay. 6 Q. Okay. What else? 7 A. Let's see. Jimmy Smith was chief. I 8 wrecked the patrol car. 9 Q. What was the discipline for that? 10 A. Two days without pay and walk a foot beat 11 for 30 days. 12 Q. Okay. 13 A. That's when I got a DUI on a foot beat. 14 Q. You arrested somebody for DUI on a foot 15 beat? 16 A. (Witness nods head up and down.) 17 Q. All right. What else? What other 18 disciplinary action have you had? 19 A. That's about all I can think of offhand. 20 I'm sure there's some more in there, 21 but ... 22 Q. Okay. Jimmy Smith, when was he chief? Do 23 you remember?</p>	<p>1 office for somebody that got promoted, city 2 hall. 3 So I said, well, I wonder if my old 4 file is in there. They said they didn't 5 know. I climbed up there and started 6 looking through them. And then one of the 7 firemen come up -- fire personnel come up 8 and said, Dean, I think we done throwed 9 your old one away. 10 See, I was looking for my old one from 11 '78 where Pete McCoy swore me in, the 12 original -- where he swore me in 13 originally. 14 Well, then I saw some old friends' 15 files and I said, well, I wonder if they 16 would like to have some keepsake. They're 17 throwing them away. I'll get them. So I 18 got several files, put them in my tuck. 19 The firemen was looking at them. 20 The little Mitchum girl ... 21 MR. INGRAM: Tessa 22 A. Tessa. There was an elderly gentleman that 23 had been missing for several years. She</p>

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<p>1 saw his file, O. D. Gore. I never knew</p> <p>2 O. D. Gore worked for the City of Lanett.</p> <p>3 She said he worked for the street</p> <p>4 department.</p> <p>5 Anyway, I got several of the old</p> <p>6 friends' files and I put them in my truck.</p> <p>7 Q. Okay. Were they burning the files while</p> <p>8 you were out there?</p> <p>9 A. They was throwing them in a barrel. That's</p> <p>10 all I know. And they made the comment they</p> <p>11 was going to carry the rest of them what</p> <p>12 they couldn't get in the barrels to an old</p> <p>13 abandoned house that they was going to burn</p> <p>14 that night, and they was going to scatter</p> <p>15 them around on the floor.</p> <p>16 Q. You just saw them putting them in barrels?</p> <p>17 You didn't see them burn anything?</p> <p>18 A. I didn't see a fire.</p> <p>19 Q. Okay.</p> <p>20 A. And according to the fire personnel, they</p> <p>21 was just throwing them away.</p> <p>22 Q. Whose files did you get?</p> <p>23 A. Let's see. Peggy Hester's. Greg Ray's.</p>	<p>1 say anything to you about taking the files?</p> <p>2 A. No, sir.</p> <p>3 Q. But you did not find your own personal</p> <p>4 file?</p> <p>5 A. No, sir.</p> <p>6 Q. What did you do with the files that you dd</p> <p>7 take?</p> <p>8 A. Well, a couple of days later, I ran into</p> <p>9 Bryan Poe. He works for the City of</p> <p>10 Valley, the police department, and I give</p> <p>11 him his.</p> <p>12 And then about a week later -- Well, I</p> <p>13 called Ricky Price. Hesaid that when he</p> <p>14 was in the area -- he was up toward</p> <p>15 Birmingham. But hesaid when he was in the</p> <p>16 area, he'd swing by and pick it up. He</p> <p>17 said he'd like to have his old file. I</p> <p>18 said all right.</p> <p>19 I tried to get ahold of Greg Ray. He's</p> <p>20 in -- was up toward Huntsville the last</p> <p>21 time I knew.</p> <p>22 Peggy Hester, she had got a divorce,</p> <p>23 moved to Florida and remarried, so I</p>
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<p>1 Bryan Poe's. Who else? Ricky Price's.</p> <p>2 Joel. I got Joel's.</p> <p>3 Q. Joel Holley?</p> <p>4 A. Yes, sir.</p> <p>5 I can't remember who all. I know</p> <p>6 those.</p> <p>7 Q. There were others, though, too?</p> <p>8 A. I think so, yes, sir.</p> <p>9 Q. What did you do -- Okay. So you talked to</p> <p>10 the fire personnel, and they said they were</p> <p>11 throwing them away or that they were going</p> <p>12 to put them in these barrels or take them</p> <p>13 to this house to have a burn?</p> <p>14 A. Uh-huh. (Positive response.)</p> <p>15 Q. You understood at least they were going to</p> <p>16 burn the ones they were taking out to the</p> <p>17 house?</p> <p>18 A. That's what they told me.</p> <p>19 Q. That's what they told you. Okay.</p> <p>20 A. Whether they did or not, I don't know.</p> <p>21 Q. That's just what you understood they said?</p> <p>22 A. Correct.</p> <p>23 Q. Okay. Did anybody with the fire department</p>	<p>1 couldn't find her.</p> <p>2 And Joel, it was October or November.</p> <p>3 Anyway, they was going through budgets, and</p> <p>4 I didn't see him. So I said, well, when I</p> <p>5 see him, I'll give him his old file.</p> <p>6 Well, after I give Bryan his, about a</p> <p>7 week or so later, Bryan calls me on the</p> <p>8 phone. And he says, they were supposed to</p> <p>9 have taken some stuff out of my file. I</p> <p>10 says, I don't know what you're talking</p> <p>11 about. Don't have a clue. I didn't open</p> <p>12 them up. I just saw the names on them.</p> <p>13 Q. You never looked through any of these</p> <p>14 files?</p> <p>15 A. No, I never did go through any of them.</p> <p>16 Q. Okay.</p> <p>17 A. And he was fussing about there was supposed</p> <p>18 to have been some stuff taken out and he</p> <p>19 was going to contact his attorney and</p> <p>20 nah-nah, nah-nah. And next thing you know,</p> <p>21 they're calling me and asking me about it.</p> <p>22 Q. During the time that you obtained -- other</p> <p>23 than talking to the firemen or the fire</p>

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<p>1 personnel about what they were doing and</p> <p>2 obtaining the file, you never talked with</p> <p>3 anybody else with the City about taking any</p> <p>4 of the files?</p> <p>5 A. Huh-uh. (Negative response.) They rode in</p> <p>6 my truck back and forth to work every day,</p> <p>7 but I didn't say anything to anybody.</p> <p>8 Q. And you didn't say anything to them about</p> <p>9 anybody -- about getting them originally?</p> <p>10 You didn't ask anybody if it was okay?</p> <p>11 A. There wasn't nobody out there but the</p> <p>12 firemen, and they said they was throwing</p> <p>13 them away, so ...</p> <p>14 Q. My question is, you didn't ask anybody if</p> <p>15 you could take them?</p> <p>16 A. No, I didn't go to city hall and ask</p> <p>17 anybody. I mean, the firemen were out</p> <p>18 there throwing them away.</p> <p>19 That's like when they torn down the old</p> <p>20 police department complex and all that, I</p> <p>21 got some brick from it. I mean, I didn't</p> <p>22 go and ask anybody. I got the brick, dated</p> <p>23 them, put them in my barn.</p>	<p>1 that one, too.</p> <p>2 And so he called you and said they were</p> <p>3 supposed to have taken stuff out of his</p> <p>4 file that was still in there or whatever?</p> <p>5 A. That's what he was telling me. I don't</p> <p>6 know.</p> <p>7 Q. So then the next thing you know, you're</p> <p>8 called in to where?</p> <p>9 A. Well, I wasn't called in.</p> <p>10 Q. Okay.</p> <p>11 A. I get a phone call at home that I'm being</p> <p>12 investigated for taking personnel files.</p> <p>13 Q. Who called you?</p> <p>14 A. Eddie Chandler.</p> <p>15 Q. And who is he?</p> <p>16 MR. INGRAM: Former councilman.</p> <p>17 A. Yeah, former councilman.</p> <p>18 MR. HARRIS: He's a local TV</p> <p>19 personality.</p> <p>20 Q. Is he the one that runs that -- the TV show</p> <p>21 that's always talking about everything</p> <p>22 going on around --</p> <p>23 A. (Witness nods head up and down.)</p>
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<p>1 Q. Okay.</p> <p>2 A. I mean, keepsakes.</p> <p>3 Q. Well, but you'd agree that brick is a</p> <p>4 little bit different than personnel files?</p> <p>5 A. Well, it's according to how the City</p> <p>6 would -- if they was throwing them away, I</p> <p>7 was getting them.</p> <p>8 Q. If it's got information in a file that you</p> <p>9 wouldn't have been privy to otherwise, then</p> <p>10 that's different than getting a piece of</p> <p>11 brick that --</p> <p>12 A. I don't know what was in them. I didn't</p> <p>13 open them up.</p> <p>14 Q. Okay. We'll just move on. So Bryan Poe</p> <p>15 called you, and he was ticked off?</p> <p>16 A. Yes, sir.</p> <p>17 Q. And you didn't know what he was talking</p> <p>18 about?</p> <p>19 A. I didn't have a clue.</p> <p>20 Q. And Mr. Poe had had litigation against the</p> <p>21 City years ago?</p> <p>22 A. Years ago, yes, sir.</p> <p>23 Q. I had the pleasure of being involved in</p>	<p>1 Q. I can't think of the name of it right now.</p> <p>2 A. Rumor Has It.</p> <p>3 Q. Rumor Has It. That's it.</p> <p>4 Mr. Chandler called you at home and</p> <p>5 told you what, now?</p> <p>6 A. I was being investigated for taking</p> <p>7 personnel files.</p> <p>8 Q. Did he tell you how he knew that?</p> <p>9 A. No, sir. He told me who was investigating</p> <p>10 it. Teddy Morris.</p> <p>11 Q. He told you that Teddy Morris was</p> <p>12 investigating it?</p> <p>13 A. Correct.</p> <p>14 Q. Anything else he told you?</p> <p>15 A. No, sir.</p> <p>16 Q. What's the next thing that you heard or --</p> <p>17 A. The next thing I done when I hung up the</p> <p>18 phone, I called Docimo -- Chief Docimo at</p> <p>19 home. It was on a Sunday afternoon.</p> <p>20 Q. And what occurred in that conversation?</p> <p>21 A. I asked him about it.</p> <p>22 Q. What did he say?</p> <p>23 A. He couldn't talk about it.</p>

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<p>1 Q. So you said, what's going on? He just 2 said, I can't talk to you about it? 3 A. Uh-huh. (Positive response.) 4 Q. Yes? 5 A. That's what he said, yes, sir. 6 Q. Uh-huhs and huh-uhs aren't clear. 7 A. I'm sorry. 8 Q. That's okay. I've been taking depositions 9 all week of different folks. And every 10 time if somebody says uh-huh or huh-uh, I 11 go, is that a yes or is that ano? And 12 people think I'm picking on them, but it's 13 just to make the record clear. 14 A. I understand. 15 Q. What happened next after that? 16 A. Let's see. I called Teddy Morris at home. 17 Q. What did Mr. Morris tell you? 18 A. He said he needed to talk to me later, but 19 he couldn't talk to me right now about it. 20 Q. All right. What happened next? 21 A. I called Joel, the city manager. 22 Q. The same afternoon? 23 A. Yes, sir, one right after the other. I</p>	<p>1 a house. It was -- They was having council 2 meeting that night. And after council 3 meeting, that's when they burnt the house, 4 so it was that day. 5 Q. Early October? 6 A. I think so. 7 Q. Okay. 8 A. I'm not sure the exact date. I mean -- 9 Q. I won't hold you to it, but just sometime 10 early -- 11 A. I mean, I didn't think nothing about it. 12 They were throwing them away. 13 Q. Okay. I know. I'm just trying to get a 14 timeline of when you got the files. It was 15 sometime early to mid October? 16 A. I think so. 17 Q. And when you turned them over to Joel 18 Holley, when was that? 19 A. I'm not sure of the date. 20 Q. Do you remember what month it was? 21 A. I'm not sure. 22 Q. Well, would it be -- 23 A. I mean, I haven't got my notes and</p>
Page 26	Page 28
<p>1 wanted to find out what was going on. 2 Q. All right. And what did Joel Holley tell 3 you? 4 A. He told me I was being investigated for 5 taking personnel files. 6 Q. Did he tell you anything else? 7 A. And I told him, I said, well, I've got the 8 files. I done took them out of the truck 9 and they're laying on the kitchen table, 10 because Ricky Price was supposed to come by 11 and get his. 12 Q. Okay. What else? 13 A. And I said, they're laying right in here on 14 the kitchen table. I said, I'll bring them 15 to you tomorrow if you want me to. And he 16 told me he'd be in the office about nine 17 o'clock. Well, I was sitting there, 18 waiting on him at 8:30 when he come in. I 19 walked in and give them to him. 20 Q. Okay. Do you remember about when it was -- 21 well, you said earlier it was October. Is 22 that what -- 23 A. I'm not sure. I know -- I know they burned</p>	<p>1 statements in front of me, so I'm not sure. 2 Q. Have you kept a journal or diary or 3 anything about what's happened? 4 A. I've got notes wrote down somewhere, yes, 5 sir. 6 Q. Is that something you did on your own or 7 did your lawyer ask you to do that? 8 A. That's something I done on my own. 9 MR. LYONS: Could I get a copy of 10 those? 11 A. I've got statements -- 12 MR. HARRIS: We don't have a 13 copy. We can get it. 14 Are you talking about 15 statements that were taken as 16 part of the investigation? 17 THE WITNESS: Uh-huh. (Positive 18 response.) 19 MR. HARRIS: I think that's what 20 he's talking about, like their 21 actual file. 22 A. Where I had to write -- 23 Q. You have a copy of your statement that you</p>

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<p>1 gave? You're talking about the statement</p> <p>2 you gave to --</p> <p>3 A. I've got them at the house. I don't have</p> <p>4 them with me.</p> <p>5 Q. I'm not asking for it right now. But</p> <p>6 you've got a copy of the statement you gave</p> <p>7 to Teddy Morris?</p> <p>8 A. Yes, sir.</p> <p>9 Q. Have you got any other notes that you've</p> <p>10 kept as to what happened and how it</p> <p>11 occurred and all that?</p> <p>12 A. Yes, sir.</p> <p>13 Q. If you can make those available to your</p> <p>14 lawyer so that we could get a copy of</p> <p>15 those, that would be great.</p> <p>16 A. (Witness nods head up and down.)</p> <p>17 Q. I know that you were -- that the hearings</p> <p>18 took place around the first part to the</p> <p>19 middle part of December of 2005.</p> <p>20 A. Yes, sir.</p> <p>21 Q. So I guess my question is, is when you came</p> <p>22 in to turn in the files, was it already</p> <p>23 December or was it November or --</p>	<p>1 officers -- Tracy Bandy and Tifton Dobbs --</p> <p>2 that the mayor wasn't going to help me</p> <p>3 because I didn't help him in the election.</p> <p>4 I didn't support him in the election.</p> <p>5 Q. Let's go back, though, to when you were</p> <p>6 talking to Joel Holley. Is there anything</p> <p>7 else that occurred in that meeting other</p> <p>8 than what you've told me about?</p> <p>9 A. Not that I remember.</p> <p>10 Q. You told me that at some point, you were</p> <p>11 put on administrative leave. When was that</p> <p>12 in relation to your meeting with</p> <p>13 Mr. Holley?</p> <p>14 A. Let's see. It was on a Monday. I'm not</p> <p>15 sure when my next scheduled workday was.</p> <p>16 We worked four on and four off. But when I</p> <p>17 come back in --</p> <p>18 It was November the 8th.</p> <p>19 Q. November the 8th?</p> <p>20 A. Yes, sir, that's what I was put on</p> <p>21 administrative leave.</p> <p>22 THE WITNESS: Have we got another</p> <p>23 copy of that?</p>
Page 30	Page 32
<p>1 A. I'm thinking it was the latterpart of</p> <p>2 November.</p> <p>3 Q. That's what I figured.</p> <p>4 A. That's what I'm thinking. Because</p> <p>5 immediately, they put me on administrative</p> <p>6 leave.</p> <p>7 Q. Okay. Let's go back to you meeting Joel</p> <p>8 Holley at his office at city hall. You</p> <p>9 gave him the files, and then what happens?</p> <p>10 A. He said, you know this is City property? I</p> <p>11 said, they was throwing them away. He</p> <p>12 said, it's City property. I said, Joel,</p> <p>13 they was throwing them away. How many</p> <p>14 search warrants have I gotten from you over</p> <p>15 the years by going through a trash can and</p> <p>16 getting probable cause to get in a house?</p> <p>17 You've given me search warrants on that</p> <p>18 before.</p> <p>19 Q. Okay. And what else did --</p> <p>20 A. He said that the mayor and the council were</p> <p>21 upset about it.</p> <p>22 Q. Okay.</p> <p>23 A. And then later, I'm told by several</p>	<p>1 MR. HARRIS: He's got a copy of</p> <p>2 that.</p> <p>3 Q. When you were put on administrative leave,</p> <p>4 was that before or after you had given the</p> <p>5 files to Joel Holley, this letter?</p> <p>6 A. I had done give the files to Joel.</p> <p>7 Q. Okay. So it would have been -- so November</p> <p>8 8th would have been after you met with Joel</p> <p>9 Holley that Monday morning?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Okay. I just want to make sure. All</p> <p>12 right.</p> <p>13 After you talked with Joel Holley and</p> <p>14 then you were placed on administrative</p> <p>15 leave, did you -- well, between talking to</p> <p>16 Joel Holley and being placed on</p> <p>17 administrative leave, do you remember</p> <p>18 speaking to anyone else at the City about</p> <p>19 this situation?</p> <p>20 A. I think it was about a week later when</p> <p>21 Teddy called and wanted me to come in and</p> <p>22 give a statement.</p> <p>23 Q. Okay. And you went and did that?</p>

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1 A. Yes, sir.
2 Q. All right. What's the next thing that you
3 did as far as --
4 A. Waited on Docimo to call me in and tell me
5 the outcome of the investigation.
6 Q. Do you remember when that was?
7 A. I'm not sure of the date.
8 Q. Do you remember how long you were on
9 administrative leave before that?
10 A. About two weeks, about two or so weeks,
11 something like that.
12 Q. Tell me what happened in that meeting
13 between you and Chief Docimo.
14 A. He called me in and told me that his
15 recommendation was termination and I could
16 file an appeal to the city manager. I told
17 him I wanted to go ahead and file the
18 appeal. I shook his hand and walked out.
19 Q. Okay. And so, then, you could appeal. And
20 who did you appeal to first? The city
21 manager?
22 A. City manager, yes, sir.
23 Q. And did you have -- Did you have a

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1 hearing -- a meeting with Joel Holley or a
2 hearing, or how did that occur?
3 A. We had a hearing with Joel.
4 Q. Okay. And who was present at that hearing?
5 A. Both my attorneys and Joel and Jennie
6 Gunnells.
7 (Brief interruption.)
8 Q. And what occurred in that hearing?
9 A. Told the facts of what I've done told you.
10 He said that he would make a decision -- he
11 had, what? Three days to make it, but he
12 said he'd have me an answer that day.
13 Q. And according to the document I have, it
14 shows that this meeting occurred -- or
15 hearing occurred on Wednesday, December 7th
16 of 2005. Does that sound about right to
17 you?
18 A. Sounds about right, yes, sir.
19 Q. And Mr. Holley told you and your attorneys
20 that he would try to give you a decision
21 within a 24-hour period --
22 A. Correct.
23 Q. -- although he had three days, and then you

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1 had five working days to appeal, correct?
2 A. Correct.
3 Q. Prior to that hearing on December 7th, had
4 you spoken with any city council member
5 about this incident?
6 A. I'm not sure if I had or not.
7 Q. The only reason I asked is in this
8 document, it says that you told them that
9 you had spoken with Mike Yarbrough.
10 A. I think I did mention it to him, and he --
11 he wouldn't comment on it.
12 Q. Okay. And you also stated that Lucille
13 McCullars had called you after your
14 December meeting and asked if you got fired
15 at the meeting. That was something you
16 said in the hearing.
17 Is the December 2nd meeting the one you
18 had with Chief Docimo?
19 A. I'm not sure.
20 MR. INGRAM: Randy, what document
21 are you reading from?
22 MR. LYONS: I am reading some
23 notes from the City of Lanett

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1 Dean Van Meter hearing,
2 Wednesday, December 7, 2005.
3 (Defendant's Exhibit 1 was marked
4 for identification.)
5 Q. Let me show you what we've marked as
6 Defendant's Exhibit Number 1.
7 MR. HARRIS: Okay. We've got
8 that.
9 Q. This is a document that's dated December
10 the 7th and signed by you, correct?
11 A. Correct.
12 Q. And this is a notice of appeal, and it's
13 addressed to Joel Holley, correct?
14 A. Correct.
15 Q. And is this a notice of appeal from his
16 decision or --
17 A. It's a notice of appeal from his decision,
18 but I let him know so he could notify the
19 mayor and council that I wished to appeal
20 it to them.
21 Q. All right.
22 A. Which, I mean, his decision, he said I was
23 terminated effective immediately.

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<p>1 Q. Okay. And that's what I was about to ask 2 you. There's another document ... 3 (Defendant's Exhibit 2 was marked 4 for identification.) 5 Q. These documents have highlighting on them 6 and some of them are underlined, but that 7 doesn't have any significance to anything. 8 I'll just show you Defendant's Exhibit 9 Number 2. I'm sorry. I'll just show it to 10 your lawyer. 11 MR. HARRIS: I think that's what 12 you're looking at in front of 13 you, Dean. 14 Q. It's the same thing. It's just showing 15 Joel Holley's decision. 16 A. Yes, sir. 17 Q. And that was to uphold the chief's 18 recommendation to terminate you effective 19 immediately, correct, and that's dated 20 December 7th of '05? 21 A. Right. 22 Q. As far as this notice, there's a 23 certificate of service that you and your</p>	<p>1 council. 2 Q. Well, what's the difference in him saying 3 this is what it is or this is what my 4 recommendation is? I mean, that's -- 5 A. Because that's not a recommendation. That 6 says I was terminated, period. 7 Q. Well, he as the city manager has said that 8 you're terminated, correct? 9 A. Yes, sir. 10 Q. And you're saying that what he should have 11 done is said my recommendation is that the 12 chief's recommendation should be accepted 13 by the council -- 14 A. Correct. Recommendation, not -- 15 Q. -- and that he recommends you to be 16 terminated effective immediately? 17 A. He didn't recommend. 18 Q. No. I'm saying, that's what you're 19 saying -- you're saying that's what he 20 should have done? 21 A. That's what they've always done in the 22 past, made recommendations. 23 Q. And that he should have made a</p>
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<p>1 attorneys got that. You would admit you 2 got this decision, correct? 3 A. Correct. Don't agree with it, but I got 4 it. 5 Q. If you agree with it, we wouldn't be here, 6 would we? 7 A. Well, I mean, he terminated me without my 8 due process with the mayor and council. 9 Q. Well -- 10 A. Do you see what I'm saying? 11 Q. I guess what you're saying -- and you 12 correct me if I'm wrong. You're saying 13 because he said you were terminated 14 effective immediately, that that was a 15 decision that, then, the mayor and council 16 couldn't overturn? 17 A. They could overturn it, but he's supposed 18 to make recommendations. And then I've got 19 an appeal process that -- and if I don't 20 use my appeals, then that would come into 21 effect. But until I use -- when I use my 22 appeal process, then he's done made the 23 decision and influenced the mayor and</p>	<p>1 recommendation -- 2 A. And then if the individual doesn't file an 3 appeal to the mayor and council, then the 4 city manager's recommendation would go into 5 effect as termination. 6 Q. Okay. And so -- 7 A. I was denied due process right there. 8 Q. Well, you had a hearing with the mayor -- 9 A. I was already terminated. 10 Q. Well, you agreed -- I mean, you agreed with 11 me a moment ago, though, that the mayor and 12 council could have overturned the city 13 manager's decision, correct? 14 A. But I was already terminated. 15 Q. Well, if it's an appeal, then that means 16 that you can appeal that decision, correct? 17 A. But it should have been a recommendation, 18 not terminated effective immediately. 19 Q. I understand what you're saying. 20 A. I mean, I'm told I'm terminated. Now, 21 you've got five days -- 22 Q. To appeal. 23 A. -- to appeal.</p>

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<p>1 Q. Okay.</p> <p>2 A. All right. The mayor and council has done</p> <p>3 seen all this.</p> <p>4 Q. Well, if he had recommended --</p> <p>5 A. And Joel stood up there in my last hearing</p> <p>6 and says, you can either back me and the</p> <p>7 department head or you don't need us.</p> <p>8 Q. Okay. The only difference that you see in</p> <p>9 this is that you believe that Mr. Holley</p> <p>10 should have put in his letter or in his</p> <p>11 decision that he recommended termination,</p> <p>12 not that he --</p> <p>13 A. Don't you think so?</p> <p>14 Q. I'm not going to comment on that. I'm</p> <p>15 asking you what your opinion is. You don't</p> <p>16 get to ask me questions.</p> <p>17 Let me ask you this. If Mr. Holley had</p> <p>18 put in his letter that he recommended</p> <p>19 termination effective immediately, you</p> <p>20 don't have a problem with that? I mean,</p> <p>21 you don't agree with it, but you don't</p> <p>22 think that would be improper?</p> <p>23 A. Well, how can he terminate me effective</p>	<p>1 he -- that is Defendant's Exhibit Number 2,</p> <p>2 it says: Wendell Dean Van Meter is hereby</p> <p>3 notified his employment is terminated</p> <p>4 immediately -- effective immediately with</p> <p>5 the City of Lanett. But then down here on</p> <p>6 the second page, it says: You may avail</p> <p>7 yourself or appeal or grievance procedure</p> <p>8 in that within ten working days of the city</p> <p>9 manager's decision, the employee has a</p> <p>10 right to elevate his grievance to the</p> <p>11 Lanett City Council.</p> <p>12 You did that, correct?</p> <p>13 A. Yes, sir.</p> <p>14 (Brief interruption.)</p> <p>15 Q. So you were still given the right to appeal</p> <p>16 to the city council, correct?</p> <p>17 A. Correct.</p> <p>18 (Defendant's Exhibit 3 was marked</p> <p>19 for identification.)</p> <p>20 Q. Show you what I'll mark -- I'm going to</p> <p>21 show you what I'll mark as Defendant's</p> <p>22 Composite Exhibit Number 3 to your</p> <p>23 deposition. It's a letter dated December 2</p>
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<p>1 immediately if I'm not completed with my</p> <p>2 due process?</p> <p>3 Q. Well, my question is -- go back to my</p> <p>4 question now. Answer this question, and</p> <p>5 then --</p> <p>6 If he had said in this letter that I</p> <p>7 recommend that Wendell Dean Van Meter be</p> <p>8 terminated effective immediately --</p> <p>9 A. Let's leave off effective immediately.</p> <p>10 Q. Okay.</p> <p>11 A. And then advise you of your appeal process,</p> <p>12 and if you don't file your appeal, then you</p> <p>13 are terminated.</p> <p>14 Q. Okay.</p> <p>15 A. Do you see what I'm saying?</p> <p>16 Q. Let me ask it this way then. You're saying</p> <p>17 that if he said I recommend that Wendell</p> <p>18 Dean Van Meter be terminated and that that</p> <p>19 was it, that that would have been</p> <p>20 appropriate under the --</p> <p>21 A. Under the City policy.</p> <p>22 Q. -- the policies. Okay.</p> <p>23 And that even though his letter that</p>	<p>1 to you from Joel Holley, and attached to it</p> <p>2 also is a certificate of service showing</p> <p>3 that you got this. And it also includes</p> <p>4 the incident reports about the files.</p> <p>5 Did you receive this letter of December</p> <p>6 2 from Joel Holley? And if those two</p> <p>7 documents that are attached to it don't</p> <p>8 have -- don't connect to that, we can</p> <p>9 separate that.</p> <p>10 A. This here is where -- if I'm not mistaken,</p> <p>11 it's where the city manager informed me of</p> <p>12 what I'm being charged with and then</p> <p>13 setting up the hearing at a later date --</p> <p>14 Q. Okay.</p> <p>15 A. -- if I'm not mistaken.</p> <p>16 Q. Is that telling you what -- Does that tell</p> <p>17 you what the recommendation of the</p> <p>18 department head, the chief, was?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Okay. So that's showing you that the chief</p> <p>21 said he recommended termination, and then</p> <p>22 that you were going to have this hearing on</p> <p>23 December 7th with Joel Holley?</p>

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<p>1 A. Correct.</p> <p>2 Q. Okay. And then you had a hearing then</p> <p>3 after December 7th, it appears, on December</p> <p>4 the 14th with the city council -- a</p> <p>5 special-called city council meeting; is</p> <p>6 that correct?</p> <p>7 A. Correct.</p> <p>8 Q. And prior to December 14th and after</p> <p>9 December 7th, did you have any other</p> <p>10 meetings, contact or any involvement with</p> <p>11 the City of Lanett or anybody with the City</p> <p>12 of Lanett regarding this incident?</p> <p>13 A. No, sir.</p> <p>14 Q. Tell me what occurred in the city council</p> <p>15 meeting for December the 14th of 2005.</p> <p>16 A. I think it was six o'clock in the evening</p> <p>17 when we met.</p> <p>18 Q. 5:30. Okay. Whatever.</p> <p>19 A. 5:30?</p> <p>20 Q. Yes, sir.</p> <p>21 A. I'm sorry.</p> <p>22 Q. That's okay.</p> <p>23 A. Met in the council chamber. I think Judge</p>	<p>1 seen the State regulations on destroying</p> <p>2 personnel files. She said she hadn't.</p> <p>3 Q. Okay.</p> <p>4 A. Joel at one point made a comment to the</p> <p>5 mayor and council to either back him and</p> <p>6 the department head or they didn't need</p> <p>7 them.</p> <p>8 Without looking over it, I --</p> <p>9 THE WITNESS: We haven't got ours</p> <p>10 typed up yet, have we?</p> <p>11 MR. INGRAM: Randy, I've got a</p> <p>12 transcript of that.</p> <p>13 MR. LYONS: Do you?</p> <p>14 MR. INGRAM: I'll make it</p> <p>15 available to you.</p> <p>16 Q. I don't have one either. That's why I'm</p> <p>17 asking what you remember.</p> <p>18 A. Well, I'm trying to remember everything.</p> <p>19 MR. INGRAM: We had a court</p> <p>20 reporter present.</p> <p>21 Q. Okay. How long did that hearing last?</p> <p>22 A. About two hours, an hour or two.</p> <p>23 Q. One to two hours?</p>
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<p>1 Calvin Milford was the mediator.</p> <p>2 Q. Okay.</p> <p>3 A. Just told them what happened, what I've</p> <p>4 told you.</p> <p>5 Q. Didn't tell any different than what you've</p> <p>6 told me today?</p> <p>7 A. No, sir.</p> <p>8 Q. And the whole council was present?</p> <p>9 A. Yes, sir.</p> <p>10 Q. Did they take a vote with you present?</p> <p>11 A. Not at that time, no, sir.</p> <p>12 Q. What else occurred other than you telling</p> <p>13 your story as far as what happened? Did</p> <p>14 the City put on any testimony?</p> <p>15 A. My attorneys called Jennie Gunnells.</p> <p>16 Q. Okay. Jennie Gunnells was called.</p> <p>17 A. Personnel.</p> <p>18 Q. Okay. What was she asked to talk about?</p> <p>19 A. What policy the City had on destroying</p> <p>20 personnel files.</p> <p>21 Q. Okay.</p> <p>22 A. She said they didn't have one. William</p> <p>23 Harris asked Ms. Gunnells if she had ever</p>	<p>1 A. Yes, sir.</p> <p>2 Q. And what was -- When you left that hearing</p> <p>3 at 6:30, 7:30, whatever time it was, what</p> <p>4 was -- did you have an outcome at that</p> <p>5 point?</p> <p>6 A. No, sir.</p> <p>7 Q. Okay.</p> <p>8 THE WITNESS: Did we?</p> <p>9 MR. INGRAM: You had the vote.</p> <p>10 THE WITNESS: Well, I thought they</p> <p>11 come back later --</p> <p>12 MR. HARRIS: I thought everybody</p> <p>13 came back.</p> <p>14 MR. INGRAM: That's right. A day</p> <p>15 later.</p> <p>16 MR. HARRIS: They announced it, I</p> <p>17 think, at the next regularly-</p> <p>18 scheduled council meeting.</p> <p>19 MR. LYONS: Because of the</p> <p>20 sunshine law?</p> <p>21 MR. HARRIS: Right.</p> <p>22 Q. And the next council meeting was, what?</p> <p>23 The next day?</p>

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1 A. I'm not sure. Somewhere along in there,
2 yes, sir. It couldn't have been the next
3 day because it was on Monday. Normal
4 council meeting is on Mondays. It was
5 close to a week.
6 MR. INGRAM: Yeah, close to a
7 week.
8 Q. Were you present at the regularly-scheduled
9 council meeting?
10 A. Yes, sir.
11 Q. What occurred at that meeting?
12 A. They voted.
13 Q. Anything else other than a vote occur?
14 A. I don't know. I got up and left.
15 Q. No. I mean, prior to your vote -- prior to
16 the vote, did anything else occur about the
17 incident with you?
18 A. Not that I know of.
19 MR. HARRIS: (Shakes head from
20 side to side.)
21 Q. It appears that that was a council
22 meeting ...
23 MR. LYONS: Let's mark this as

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1 Defendant's 4.
2 (Defendant's Exhibit 4 was marked
3 for identification.)
4 Q. The council meeting was December the 19th.
5 Have you seen these minutes? And it's
6 about -- The part about you is down here.
7 A. No, sir, I haven't seen this.
8 Q. It just says something to the -- that they
9 brought up the matter of what was discussed
10 at the December 14th special session that
11 was taken under advisement and that they --
12 about Lt. Dean Van Meter, that they were
13 going to take a vote. And it appears that
14 the vote was -- there were two nays and the
15 rest yeas.
16 A. Yeah, four to two.
17 Q. Now that you've reviewed Defendant's
18 Exhibit Number 4 as far as --
19 MR. LYONS: Have y'all seen it?
20 MR. HARRIS: No.
21 Q. -- about what occurred at the city council
22 meeting, is that what you remember
23 occurring?

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1 A. Yes, sir.
2 Q. Have you had any other contact with anyone
3 with the City of Lanett regarding this
4 matter?
5 A. No, sir.
6 Q. You mentioned earlier that two police
7 officers told you that the mayor said he
8 wasn't going to help you because you didn't
9 help him in the election.
10 A. Correct.
11 Q. And that was Tracy Bandy and who?
12 A. Tifton Dobbs.
13 Q. Has the mayor ever said anything to you
14 about --
15 A. Directly?
16 Q. Yeah. Has he ever said anything to you
17 directly?
18 A. No, sir.
19 Q. Has he ever done anything -- Has he ever
20 inferred anything to you that would make
21 you think that he was trying to get you for
22 some political activity you took?
23 A. No, sir, I don't ...

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1 Q. He hasn't said anything --
2 A. He hasn't said anything to me directly, no,
3 sir.
4 Q. Have you overheard him say anything to
5 anyone else?
6 A. No, sir.
7 Q. Has any member of the city council told you
8 that the mayor was after you because you
9 didn't support him?
10 A. No, sir.
11 Q. How did the two officers that told you
12 that, where did they learn this
13 information, if you know?
14 A. They go by his house, the mayor's house.
15 Q. Just --
16 A. They're friends with the mayor.
17 Q. Just because they're friends with the
18 mayor?
19 A. Yes, sir.
20 Q. Correct me if I'm wrong, but from what I
21 understand you were telling me earlier,
22 your main complaint regarding your due
23 process --

Page 53	Page 55
<p>1 A. I'm terminated. That's my main complaint.</p> <p>2 Q. Okay. I understand your main complaint is</p> <p>3 that you're terminated.</p> <p>4 A. Sir, I've lost a 27-year career, and I'm</p> <p>5 accused of being a thief. And getting</p> <p>6 another job is impossible at 50 years old.</p> <p>7 Q. Let me ask you one question about this and</p> <p>8 then I'm going to go through your complaint</p> <p>9 with you.</p> <p>10 A. Okay.</p> <p>11 Q. You've made a due process claim. You're</p> <p>12 saying that you were denied due process,</p> <p>13 correct?</p> <p>14 A. Uh-huh. (Positive response.)</p> <p>15 Q. Yes?</p> <p>16 A. Yes, sir.</p> <p>17 Q. Is the basis of the denial of your due</p> <p>18 process what you've told me about</p> <p>19 Defendant's Exhibit Number 2, that --</p> <p>20 Mr. Holley putting in there that you were</p> <p>21 terminated effective immediately, is that</p> <p>22 what you're saying was the denial of your</p> <p>23 due process?</p>	<p>1 towards me according to the officers.</p> <p>2 Q. All right. The vote that was taken</p> <p>3 regarding your termination, did Mayor</p> <p>4 Crawley vote in that?</p> <p>5 A. Yes, sir. I mean, it's in this right here,</p> <p>6 yes, sir.</p> <p>7 Q. It says there was a roll call vote.</p> <p>8 Councilman Malone -- Tony Malone said nay.</p> <p>9 Councilmember Duskin, yea. Councilmember</p> <p>10 Heard, nay. Councilmember Yarbrough, yea.</p> <p>11 Councilmember McCoy, yea. And Mayor</p> <p>12 Crawley, yea.</p> <p>13 A. Correct.</p> <p>14 Q. Well, it would have still been three to two</p> <p>15 even if the mayor had withheld his vote,</p> <p>16 correct?</p> <p>17 A. Possibly.</p> <p>18 Q. Well, he was the last one --</p> <p>19 A. Unless somebody else changed their vote</p> <p>20 because of him.</p> <p>21 Q. Well, he was the last one called according</p> <p>22 to the records.</p> <p>23 A. But if he had recused himself, then</p>
Page 54	Page 56
<p>1 A. Yes, sir.</p> <p>2 Q. Was there anything else that you're relying</p> <p>3 on for your denial of due process? And</p> <p>4 you're looking at your lawyers, but --</p> <p>5 A. Well, that's what I hired them for.</p> <p>6 Q. But if you know of anything else, this is</p> <p>7 my only time to --</p> <p>8 A. Well, I'm trying to think exactly ...</p> <p>9 Q. I mean, that's one of your claims, and</p> <p>10 this is my only time to get to ask you.</p> <p>11 (Attorney-client discussion.)</p> <p>12 THE WITNESS: Yeah, I forgot about</p> <p>13 that.</p> <p>14 A. Oscar -- We asked Oscar Crawley to recuse</p> <p>15 himself in the hearing, and he wouldn't do</p> <p>16 it.</p> <p>17 Q. Okay. And is that a part of what you're</p> <p>18 claiming is a denial of your due process?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Why did you ask Mayor Crawley to recuse</p> <p>21 himself?</p> <p>22 A. Because of me being for another candidate</p> <p>23 for mayor and him having ill feelings</p>	<p>1 somebody else might have voted different,</p> <p>2 correct?</p> <p>3 Q. I don't have any idea.</p> <p>4 A. I don't either. We'll never know because</p> <p>5 he wouldn't accuse himself.</p> <p>6 MR. HARRIS: Recuse.</p> <p>7 Q. Recuse himself.</p> <p>8 A. I'm sorry.</p> <p>9 Q. Well, but as it stands, Mayor Crawley</p> <p>10 appears to be the last one that voted, and</p> <p>11 he was a yea vote, but it would have still</p> <p>12 been a three to two vote if you would have</p> <p>13 just removed him from the situation?</p> <p>14 A. If you removed him from that right there,</p> <p>15 yes, sir. But in reality, I don't know.</p> <p>16 Q. Well, we can speculate as to what could</p> <p>17 have occurred all day long.</p> <p>18 Anything else you base your claim of</p> <p>19 violation of due process other than this</p> <p>20 statement in Defendant's Exhibit Number 2</p> <p>21 and that Mayor Crawley wouldn't recuse</p> <p>22 himself?</p> <p>23 A. No, sir.</p>

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<p>1 Q. And other than you were of the opinion that 2 Mayor Crawley had ill feelings towards you 3 because you supported his opposition, was 4 there any other reason that you felt that 5 he should recuse himself? 6 A. Years ago, I done an investigation, and he 7 was sitting on the board of the housing 8 authority, yes, sir. 9 Q. Investigated the housing board, the housing 10 authority board? 11 A. Members, and he was a member. 12 Q. And he was investigated himself? 13 A. Yes, sir. 14 Q. Anything come of that? 15 A. I was pulled out of the investigation. 16 Q. You were pulled out? 17 A. Yes, sir, put on patrol. That's when Gene 18 Jones was chief. 19 Q. As far as anything with Mayor Crawley at 20 that time, was he -- did any investigation 21 find anything against him? 22 A. There was one individual that went to 23 prison.</p>	<p>1 Q. I understand. Let me ask you this, then. 2 Other than what Officer Bandy and the other 3 officer told you, have you any other 4 evidence that Mayor Crawley has any ill 5 will or -- 6 A. No, sir. 7 Q. -- feelings towards you? 8 A. No, sir. 9 Q. And you mentioned something, and I meant to 10 ask you earlier, but -- are you employed 11 anywhere at the present time? 12 A. Marvin's. 13 Q. Marvin's? 14 A. Yes, sir. 15 Q. And what do you do there? 16 A. I work on the lumberyard. 17 Q. And how long have you worked there? 18 A. About four months, five months. 19 Q. Have you worked anywhere else other than 20 Marvin's since the City of Lanett? 21 A. Locksmithing. 22 Q. Just working on your own? 23 A. No, sir. Roquemore's Key & Safe.</p>
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<p>1 Q. But it wasn't him? 2 A. No, it wasn't him. 3 Q. Okay. But other than what these officers 4 have told you, you have no other evidence 5 that Mayor Crawley has any ill feelings 6 towards you, do you? 7 A. Like I said, I done an investigation. And 8 before it was complete -- completed, he 9 had -- using maintenance personnel at his 10 residence from the housing authority. 11 Q. We're talking about two different things. 12 A. I know it. You're talking about -- 13 Q. How long ago was this investigation? 14 A. That's when Gene Jones was chief. 15 Q. So it's been quite some time? 16 A. Correct. And I don't know if he had any 17 animosity toward me from that or not. I 18 don't know. 19 Q. That would have been probably the early 20 nineties? 21 A. Correct. 22 Q. Well, I mean, as far as -- 23 A. I mean, I don't know.</p>	<p>1 Q. And why did you leave Roquemore's to go to 2 Marvin's? 3 A. Steadier. 4 Q. What's your pay at Marvin's? 5 A. 8.50 an hour. 6 Q. And how many hours a week? 7 A. No more than 40. 8 Q. And when you left the City, what was your 9 rate of pay at that time? 10 A. 17 something. 16, \$17 an hour. 11 Q. Were you on salary or were you still 12 hourly? 13 A. Hourly. 14 Q. How many hours did you normally work a 15 whole week? 16 A. We work 36 hours one week, 48 the next 17 week. Four on, four off. 18 Q. Do you remember where you were as far as 19 the step for lieutenant? 20 A. I'd topped out. I'd been topped out 21 about -- since Terrell Whaley was mayor. I 22 can remember the mayors, but as far as the 23 years ...</p>

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1 Q. I understand.

2 A. Because I mentioned to Terrell one day
3 about adjusting the pay because everybody
4 else was catching me, even down in Biloxi.

5 Q. I was going to say, I remember that, too.
6 So you were topped out for quite some
7 time.

8 A. Correct.

9 Q. The only rate increase that you would get
10 would be cost of living?

11 A. Correct.

12 (Brief interruption.)

13 Q. I want to go through some parts of your
14 complaint. I know you didn't draft it.
15 Your lawyers did. I'm just going to ask
16 you what you understand your claim to be.
17 If you know, fine. If you don't, that's
18 fine. I'm not asking for their opinion,
19 though. If I can depose them, that would
20 be more fun, but I'm here to find out what
21 you know.

22 You have claimed intentional infliction
23 of emotional distress. What evidence do

1 come by and the fire personnel been gone to
2 lunch, anything like that, look at the
3 identity theft. No responsibility.

4 Q. Have you been treated by any psychologist,
5 psychiatrist or counselor for any emotional
6 stress for this?

7 A. I see Dr. Hemberg at the present.

8 Q. Dr. Hemberg is a family doctor, isn't he?

9 A. Correct.

10 Q. He's your family doctor?

11 A. Yes, sir. Eric Hemberg.

12 Q. And he's given you antidepressants?

13 A. Lexapro, yes, sir.

14 Q. Had you ever taken that before?

15 A. No, sir.

16 Q. How long have you been taking Lexapro?

17 A. Good God. I don't know. A little while.
18 I'm not sure.

19 Q. Seen any other doctor for anything as a
20 result of this incident?

21 A. No, sir.

22 Q. Had you ever been treated for depression
23 before this incident occurred?

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1 you have that the City of Lanett or anybody
2 on behalf of the City of Lanett did this
3 intentionally to injure you in any manner?

4 A. Well, them leaving the records out there.
5 If they were so important, shouldn't there
6 have been somebody out there to say, no,
7 you can't have them instead of the fire
8 personnel looking through them? I mean,
9 they have an obligation, themselves, to
10 protect files if they want to keep them.
11 Don't you agree?

12 Q. I told you earlier, you can't ask me
13 questions.

14 A. I can, but you're not going to answer them.

15 Q. You can ask me whatever you want, but I
16 don't have -- you've got to answer the
17 questions. I don't.

18 A. Okay.

19 Q. You're saying that you think it was --
20 their intentional act was leaving the
21 records where you could get to them?

22 A. They left them out so everybody could get
23 to them. I mean, anybody -- if anybody had

1 A. Yes, sir.

2 Q. When was that?

3 A. Hemberg.

4 Q. When was it?

5 A. Oh, good God. Gene Jones' administration.

6 Q. Okay.

7 A. That man didn't like anybody.

8 MR. LYONS: Off the record.

9 (Off-the-record discussion.)

10 Q. So you were treated by Dr. Hemberg back at
11 that time?

12 A. Yes, sir.

13 Q. Have you been treated by anyone else for
14 depression other than Dr. Hemberg?

15 A. No, sir.

16 Q. Never in your life?

17 A. I mean, Marvin sent me to a doctor for a
18 physical. I mean, you know --

19 Q. No, I'm just saying for depression.

20 A. No, sir. No, sir.

21 Q. I'm sorry. My question may not have been
22 very good.

23 Now, you've also sued the City for

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<p>1 defamation, and you mentioned this</p> <p>2 earlier. You said you were being called a</p> <p>3 thief. Who, if anybody, with the City of</p> <p>4 Lanett has ever said you were a thief?</p> <p>5 A. Read it in the documents.</p> <p>6 Q. Well, I mean, who, specifically -- has</p> <p>7 anyone told -- have you heard anyone tell</p> <p>8 anyone out on the street that you were a</p> <p>9 thief or--</p> <p>10 A. No, sir.</p> <p>11 Q. Have they published it to the public in any</p> <p>12 way?</p> <p>13 A. No, sir.</p> <p>14 Q. In the city council hearing that was held</p> <p>15 at the regular city council hearing that's</p> <p>16 shown in Defendant's Exhibit Number 4, was</p> <p>17 it discussed what the claims were that were</p> <p>18 being made against you or was there any</p> <p>19 discussion of you having stolen anything?</p> <p>20 A. It was -- The claims were, yes, sir.</p> <p>21 Q. Did they tell at that that you were being</p> <p>22 charged with theft of property?</p> <p>23 A. Theft of City property and unbecoming a</p>	<p>1 A. Repeat the question again.</p> <p>2 Q. Talking about Defendant's Exhibit Number</p> <p>3 4.</p> <p>4 A. Talking about at this hearing, at this</p> <p>5 council meeting? No, they didn't mention</p> <p>6 it. They just voted on --</p> <p>7 Q. They just voted?</p> <p>8 A. Voted, yes, sir.</p> <p>9 Q. Has anyone with the City or any other</p> <p>10 employee with the City come and told you</p> <p>11 that they heard you'd been charged with</p> <p>12 theft of City property?</p> <p>13 A. Charged?</p> <p>14 Q. Yes, sir. In your complaint --</p> <p>15 A. Talking about a criminal charge?</p> <p>16 Q. Well, it says: Terminated employment on</p> <p>17 unfounded charges of theft of City</p> <p>18 property. That's why I'm using the term</p> <p>19 charged.</p> <p>20 A. Okay.</p> <p>21 Q. You were not criminally charged with</p> <p>22 anything?</p> <p>23 A. No, sir.</p>
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<p>1 police officer, yes, sir.</p> <p>2 Q. That was discussed in the city -- the</p> <p>3 regularly-scheduled city council meeting?</p> <p>4 A. I'm not sure.</p> <p>5 MR. INGRAM: It was discussed in</p> <p>6 the hearing.</p> <p>7 Q. It was in the hearing, but I'm asking about</p> <p>8 in the city council meeting where the city</p> <p>9 council voted. Did they discuss --</p> <p>10 MR. INGRAM: There was no</p> <p>11 discussion at all.</p> <p>12 Q. So there was nothing out in front of the</p> <p>13 public at that hearing that would have been</p> <p>14 talked about, any theft of City property,</p> <p>15 was there?</p> <p>16 A. Other than the other employees talking,</p> <p>17 yes, sir.</p> <p>18 Q. Well, my question to you was, at the city</p> <p>19 council hearing where the city council</p> <p>20 voted in public hearing, there was no</p> <p>21 discussion of your -- there was no claim</p> <p>22 made or any discussion about you having</p> <p>23 stolen any City property, was there?</p>	<p>1 Q. There was never any -- Well, let me ask you</p> <p>2 this. Was there ever any threat of</p> <p>3 criminal charges to you by the City?</p> <p>4 A. No, sir.</p> <p>5 Q. Has anyone with the -- any employee of the</p> <p>6 City or anyone come up to you and said</p> <p>7 they've heard that you were accused of</p> <p>8 theft of City property?</p> <p>9 A. Sure.</p> <p>10 Q. Who was that?</p> <p>11 A. All the police officers. They all knew</p> <p>12 what was going on.</p> <p>13 Q. All the police officers?</p> <p>14 A. Just about all of them, yeah, they know.</p> <p>15 Q. Anyone else other than the police</p> <p>16 officers?</p> <p>17 A. I run into people on the street, run into</p> <p>18 them at Marvin's talking about it.</p> <p>19 Q. And is that -- did they find out -- Do you</p> <p>20 know how these folks found out about it?</p> <p>21 A. It was in the news. I mean, Joel had been</p> <p>22 on TV talking about it. I've talked about</p> <p>23 it.</p>

Deposition of Wendell Dean Van Meter

December 8, 2006

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1 Q. So you've talked about it as well to the
2 press?
3 A. Yes, sir. Joel has, too.
4 Q. What press outlet did you talk to?
5 A. It was CVP, local.
6 Q. Have you been on Rumor Has It about this
7 issue?
8 A. Yes, sir.
9 I don't know if you've got the document
10 or not. Do you mind if I look?
11 Q. Go ahead.
12 A. On December the 2nd, Joel sent me a
13 letter. I'm entitled to copies of the
14 report, statements, nah, nah, nah. Please
15 be aware that the open -- new open meeting
16 law may impact any hearing before the mayor
17 and council, open -- to be open to the
18 public.
19 Q. And that's the reason why they had the
20 December 19th city council meeting to vote
21 as to the -- having it -- the open
22 hearing?
23 A. (Nods head up and down.)

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1 Q. Okay. You also in your complaint said that
2 it harmed your reputation, and you
3 mentioned earlier that you could not get --
4 it's affected your ability to get work.
5 Have you been turned down by anyplace
6 for -- you've requested employment because
7 they said you've been -- they heard you
8 stole City property?
9 A. Sheriff Lockhart.
10 Q. What did he tell you?
11 A. Told me once we got all this behind us and
12 got it straightened out, he'd look at me.
13 But Valley ain't going to touch me either.
14 Q. Did you apply at Valley?
15 A. I talked to them about it, yes, sir.
16 Q. Did you fill out an application or did you
17 just talk to them?
18 A. I talked to them.
19 Q. Did you talk to anyone else other than the
20 City of Valley?
21 A. No, sir.
22 Q. Or the sheriff's department?
23 A. No, sir.

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1 Q. And what did they say at Valley?
2 A. They're hiring folks, but they never
3 would -- Huh-uh. (Negative response.)
4 Seems like your name just gets overpassed,
5 you know, just passed over.
6 Q. Did you fill out an application with the
7 sheriff's department or did you just talk
8 to the sheriff?
9 A. Talked to the sheriff, the same way I done
10 last time in 1980.
11 Q. With Valley, who did you talk to?
12 A. Frank Montroy and John --
13 MR. INGRAM: McConnell.
14 A. McConnell.
15 Q. And with the sheriff's department, you
16 talked with the sheriff himself?
17 A. Yes.
18 Q. All right. Anywhere else that you've
19 attempted to obtain employment and not been
20 able to get it because of this situation?
21 A. No.
22 You've got to understand, I had 27
23 years in law enforcement. That was my

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1 livelihood. I started at the age of 22.
2 I'm 50 years old. How many people is going
3 to hire a 50-year-old to patrol the street?
4 Q. All I can ask you is if you've applied
5 anywhere.
6 A. I mean, you know, what is your profession
7 worth to you?
8 Q. Again, I'm not here to answer the
9 questions.
10 MR. HARRIS: Just answer his
11 questions.
12 MR. INGRAM: He's just here to ask
13 you questions.
14 THE WITNESS: I know it, but ...
15 MR. INGRAM: I know it's personal
16 with you. It's not personal
17 with Randy.
18 THE WITNESS: Well, I'm not
19 personal with him.
20 Q. You're not mad at me --
21 A. No, no, no.
22 Q. And I'm just here to ask you questions.
23 I'm just doing my job.

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1 A. I understand.

2 Q. And you're not going to hurt my feelings
3 asking questions. I'm not going to answer
4 them.

5 Anyway, the other thing you talked
6 about is loss of consortium, and that's
7 mainly your wife's claim, but let me ask
8 you. How has this affected your
9 relationship with your wife?

10 A. Different rooms all the time, never
11 together. I had to draw all of my
12 retirement out to pay off bills.

13 Q. Have y'all had to seek marriage counseling?

14 A. No, sir.

15 Q. What you're telling me is y'all don't sleep
16 in the same room?

17 A. No, sir.

18 Q. And that's been something that's occurred
19 just since this all took place?

20 A. Pretty much so.

21 Q. Well, before this happened, did y'all stay
22 in the same room?

23 A. Yes, sir.

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1 Q. Is the reason for that that she is just so
2 upset? Is she mad at you?

3 A. I get ill quick, a short fuse.

4 Q. Do you have children?

5 A. Yes, sir.

6 Q. How many children have you got?

7 A. I have two sons.

8 Q. And what are their ages?

9 A. 24 and 31, and I'm raising a granddaughter.

10 Q. How old is your granddaughter?

11 A. Eight years old.

12 Q. Is your wife employed anywhere?

13 A. Yes, sir.

14 Q. Where is she --

15 A. Huguley Water Authority.

16 Q. What does she do there?

17 A. She's a clerk.

18 Q. In your complaint, you also allege
19 negligence on the part of the City. It
20 says: Negligence for failure to establish
21 a written policy that would ensure due
22 process of law to you and that the
23 defendants, the mayor, the council

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1 members --

2 And you -- you've only sued the three
3 other -- the council members that voted
4 yea, correct?

5 A. Correct.

6 Q. You said they were negligent in their
7 failure to prevent Joel Holley from the
8 unauthorized termination prior to your due
9 process hearing.

10 A. Yes, sir, your Exhibit 2.

11 Q. What is your opinion or what is your
12 statement as to what's wrong with the
13 written policy and what needs to be changed
14 in the written policy to correct due
15 process of law?

16 A. They need to go by their policy that they
17 already --

18 Q. So it's not that they didn't establish a
19 written policy. They just -- Your position
20 is, they didn't follow it?

21 A. They didn't follow the policy, the written
22 policy they got on termination. And they
23 don't have a policy on destroying personnel

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1 records --

2 Q. Okay.

3 A. -- to prevent stuff like this from
4 happening to anybody else. John Doe
5 employee can get ahold of it, throw them in
6 the trash or do what they want to with
7 them.

8 Q. You said you were with the police
9 department for 27 years. When was your
10 plan to retire?

11 A. 30 years.

12 Q. At 30 years?

13 A. Yes, sir.

14 Q. So you were going to go three more years?

15 A. I would have liked to have, yes, sir.

16 Q. When you took out your retirement money to
17 pay bills, did that cause you any type
18 of -- did you have to pay any kind of
19 penalty for --

20 A. Taxes.

21 Q. Just taxes?

22 A. Federal taxes.

23 Q. You didn't have, like, a ten percent

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<p>1 penalty for taking it out early?</p> <p>2 A. I think so, yes, sir.</p> <p>3 Q. Okay. So you had to pay taxes and you may</p> <p>4 have had to pay some penalty?</p> <p>5 A. Penalty for early withdrawal.</p> <p>6 Q. Are you sure that you did?</p> <p>7 A. I believe so, yes, sir.</p> <p>8 Q. Do you remember how much you took out of</p> <p>9 your retirement account?</p> <p>10 A. I think it was 40 some odd thousand, and</p> <p>11 then after taxes and penalties, it ended up</p> <p>12 30 some odd thousand.</p> <p>13 Q. When this occurred, basically a year ago</p> <p>14 from where we're sitting now, at that point</p> <p>15 you had been with the department for 27</p> <p>16 years?</p> <p>17 A. Well, I had been back since '88, yes, sir.</p> <p>18 Q. How does that run as far as your thought</p> <p>19 for being there -- for 30 years? Was it</p> <p>20 going to be 30 years total or was it going</p> <p>21 to be 30 years from 1988?</p> <p>22 A. It would be 30 years total.</p> <p>23 Q. Total?</p>	<p>1 A. One time.</p> <p>2 Q. One time.</p> <p>3 A. And I was discussing it with my attorneys</p> <p>4 just a few minutes ago at the break. The</p> <p>5 City had it put in the Valley Times</p> <p>6 newspaper that I was dismissed and what</p> <p>7 for. I forgot about that.</p> <p>8 Q. Was that before or after you were on Rumor</p> <p>9 Has It or that you spoke --</p> <p>10 A. That was before.</p> <p>11 Q. Was it before you spoke to any other media?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Is there anything that we've not covered</p> <p>14 about the incident with the City and your</p> <p>15 termination and the hearing and all that</p> <p>16 that we need to cover that you ...</p> <p>17 A. The only thing is Joel terminated me</p> <p>18 effective immediately. He doesn't have</p> <p>19 that authority.</p> <p>20 Q. And we've talked about that prior.</p> <p>21 A. Yes, sir.</p> <p>22 Q. Is that the main thing?</p> <p>23 A. That's ...</p>
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<p>1 A. Yes, sir.</p> <p>2 Q. So three years from last year?</p> <p>3 A. Uh-huh. (Positive response.)</p> <p>4 Q. Yes?</p> <p>5 A. Yes, sir.</p> <p>6 Q. What you were planning to do? Were you</p> <p>7 going to work somewhere else after you</p> <p>8 retired?</p> <p>9 A. Yes, piddle around.</p> <p>10 MR. LYONS: Let's take a break for</p> <p>11 a minute and let me see if</p> <p>12 there's anything. I may be</p> <p>13 about through.</p> <p>14 (Brief recess was taken.)</p> <p>15 Q. There's one thing I didn't ask you about.</p> <p>16 When you were on administrative leave, was</p> <p>17 that paid administrative leave?</p> <p>18 A. Yes, sir.</p> <p>19 Q. I thought it was. I just wanted to confirm</p> <p>20 that it was.</p> <p>21 Also, you told me that you had been on</p> <p>22 Rumor Has It. How many times have you been</p> <p>23 on Rumor Has It about this situation?</p>	<p>1 Q. All right.</p> <p>2 MR. LYONS: If you can get your</p> <p>3 lawyers your notes and the</p> <p>4 statements that you gave, if</p> <p>5 you'll get those to them, and</p> <p>6 then if y'all will get me a</p> <p>7 copy of the transcript when</p> <p>8 you get that, I'm through.</p> <p>9 Thank you, sir.</p> <p>10 MR. HARRIS: I think the</p> <p>11 statements that he's referring</p> <p>12 to you've already got. Those</p> <p>13 are all statements you were</p> <p>14 furnished that were taken --</p> <p>15 THE WITNESS: Right.</p> <p>16 MR. INGRAM: The city --</p> <p>17 MR. LYONS: The investigation?</p> <p>18 MR. HARRIS: Right.</p> <p>19 MR. LYONS: I've got that. He</p> <p>20 said he had some private notes</p> <p>21 that he had taken himself as</p> <p>22 well.</p> <p>23 THE WITNESS: I'll look.</p>

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<p>1 MR. LYONS: And if he's got that,</p> <p>2 I'd like that as well.</p> <p>3 Thank you, sir.</p> <p>4 THE WITNESS: I appreciate it.</p> <p>5 (Off-the-record discussion.)</p> <p>6 EXAMINATION</p> <p>7 BY MR. INGRAM:</p> <p>8 Q. Dean, through the series of questions that</p> <p>9 Mr. Lyons has asked you, there's a few</p> <p>10 things that I'd like for you to maybe</p> <p>11 clarify or elaborate a little further on.</p> <p>12 A. Yes, sir.</p> <p>13 Q. What did you believe the reason for your</p> <p>14 termination was?</p> <p>15 A. It was because Oscar didn't like me.</p> <p>16 Docimo don't like me.</p> <p>17 Q. Let me rephrase that. What reason were you</p> <p>18 given by the city manager and Chief Docimo?</p> <p>19 A. I'm a troublemaker.</p> <p>20 Q. And that stemmed from what?</p> <p>21 A. I don't have a clue.</p> <p>22 Q. As far as the theft of City property</p> <p>23 goes --</p>	<p>1 notified that his employment is terminated</p> <p>2 effective immediately with the City of</p> <p>3 Lanett.</p> <p>4 Q. Continue.</p> <p>5 A. I concur that City property consisting of</p> <p>6 personnel files was stolen which is a</p> <p>7 violation of a Class II offense of the City</p> <p>8 personnel policy.</p> <p>9 Q. Now, the term stolen is used in that</p> <p>10 letter?</p> <p>11 A. Yes, sir. Yes, sir.</p> <p>12 Q. And that letter was somehow disseminated</p> <p>13 amongst the public --</p> <p>14 A. Yes, sir.</p> <p>15 Q. -- as far as you know, because you saw a</p> <p>16 copy of it --</p> <p>17 MR. LYONS: Object to the form.</p> <p>18 Q. -- from individuals?</p> <p>19 A. Yes, sir.</p> <p>20 And it also talks further in the letter</p> <p>21 about the new open meeting law could impact</p> <p>22 the hearing as discussed with you, with</p> <p>23 your counsel. They keep threatening open</p>
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<p>1 A. Yes, sir.</p> <p>2 Q. -- was that what -- the basis of the</p> <p>3 termination that Docimo told you, or did</p> <p>4 Docimo tell you you were a troublemaker?</p> <p>5 A. Well, Joel is the one that told me I was a</p> <p>6 troublemaker.</p> <p>7 Q. What did Docimo tell you the reason for</p> <p>8 your termination, that he recommended --</p> <p>9 A. Theft of City property and unbecoming a</p> <p>10 police officer.</p> <p>11 Q. Defendant's Exhibit -- I think it's</p> <p>12 probably Number 1, the letter of</p> <p>13 termination from the city manager, Joel</p> <p>14 Holley.</p> <p>15 A. That would be Exhibit Number 2, yes, sir.</p> <p>16 Q. The last paragraph, probably about -- no,</p> <p>17 on the front page.</p> <p>18 A. Oh, okay.</p> <p>19 Q. The last paragraph on the front page about</p> <p>20 three lines up, I think -- I don't have a</p> <p>21 copy of it here. What is the -- If you</p> <p>22 would, start with that and read that.</p> <p>23 A. Employee Wendell Dean Van Meter is hereby</p>	<p>1 meeting laws.</p> <p>2 Q. So how long after that letter was delivered</p> <p>3 to you did you hear on the street the</p> <p>4 reason for your termination?</p> <p>5 A. Let's see. I come by your office and</p> <p>6 picked it up. You got it the day prior.</p> <p>7 And I can't remember who I talked to on the</p> <p>8 phone that night that told me that you had</p> <p>9 the letter. I'm trying to remember who</p> <p>10 told me.</p> <p>11 Q. Well, my question is to you, what was the</p> <p>12 length of time from the time that letter</p> <p>13 was delivered to you and to I did you hear</p> <p>14 it from people on the street the reason for</p> <p>15 termination?</p> <p>16 A. The next morning before I picked it up from</p> <p>17 you.</p> <p>18 Q. And what reason were -- did those people</p> <p>19 hear that you were terminated?</p> <p>20 A. For theft.</p> <p>21 Q. Now, as far as your involvement -- the</p> <p>22 media attention to this matter, did you ask</p> <p>23 or were you asked to come on --</p>

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<p>1 A. I was asked.</p> <p>2 Q. -- the local show?</p> <p>3 A. I was asked.</p> <p>4 Q. And was there any discussion when you were</p> <p>5 asked to come on the show about what y'all</p> <p>6 would talk about on the show?</p> <p>7 A. We talked about this incident, yes, sir.</p> <p>8 Q. Now, how long have you been with the City?</p> <p>9 A. I've been back since '88. I first started</p> <p>10 in '78.</p> <p>11 Q. And you worked under how many mayors?</p> <p>12 A. Eight mayors.</p> <p>13 Q. How many police chiefs?</p> <p>14 A. Seven.</p> <p>15 Q. So you've seen a lot of employees come and</p> <p>16 go --</p> <p>17 A. A lot of politics.</p> <p>18 Q. -- over the years?</p> <p>19 A. A lot of politics.</p> <p>20 Q. Can you recall in those number of years</p> <p>21 working under that many mayors and that</p> <p>22 many chiefs of police of a termination of</p> <p>23 an officer in this manner?</p>	<p>1 Q. And during those days that you were looking</p> <p>2 for another job and drinking and after you</p> <p>3 sought medical advice for what you said was</p> <p>4 depression, what was your attitude of your</p> <p>5 wife, Neva Jane, toward you?</p> <p>6 A. Short, just short about everything.</p> <p>7 Q. Where did you spend most of your time?</p> <p>8 A. On the back porch.</p> <p>9 Q. Where did she spend most of her time?</p> <p>10 A. In the living room.</p> <p>11 Q. So y'all really didn't have much social</p> <p>12 intercourse?</p> <p>13 A. Huh-uh. (Negative response.)</p> <p>14 Q. Have things improved?</p> <p>15 A. No, sir.</p> <p>16 Q. You went several months without employment,</p> <p>17 and then you went to work for Roquemore's</p> <p>18 Lock & Safe?</p> <p>19 A. Yes, sir.</p> <p>20 Q. And what were your duties there?</p> <p>21 A. Unlocking houses, vehicles, drilling safety</p> <p>22 deposit boxes, going in safes, banks.</p> <p>23 Q. Do you recall working at a bank with</p>
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<p>1 A. No, sir.</p> <p>2 Q. Do you feel like you were singled out?</p> <p>3 A. Yes, sir.</p> <p>4 Q. And who do you feel like singled you out?</p> <p>5 A. The mayor and Joel.</p> <p>6 Q. Now, once you were terminated, where did</p> <p>7 you -- what was your lifestyle after you</p> <p>8 were terminated?</p> <p>9 A. Well, my salary was cut in half.</p> <p>10 Q. How about your personal lifestyle?</p> <p>11 A. My personal lifestyle went to hell in a</p> <p>12 handbasket.</p> <p>13 Q. What did you -- on the day you were</p> <p>14 terminated, what did you do?</p> <p>15 A. Tried to find another job.</p> <p>16 Q. And how long did you go without?</p> <p>17 A. About two months.</p> <p>18 Q. About two months?</p> <p>19 Was that the same time that you had to</p> <p>20 seek medical advice?</p> <p>21 A. Yes, sir.</p> <p>22 Q. How were you spending your days?</p> <p>23 A. Drinking.</p>	<p>1 Roquemore's?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Do you recall any kind of conversation with</p> <p>4 bank employees concerning you?</p> <p>5 A. We was at the corporate office, yes, sir.</p> <p>6 One young corporate didn't know me that</p> <p>7 well or didn't know me and he heard that I</p> <p>8 was dismissed for stealing, and Mr. Johnson</p> <p>9 had to correct him, because he's known me</p> <p>10 all his life -- well, all my life.</p> <p>11 Q. When you say Mr. Johnson, you're speaking</p> <p>12 of Bubba Johnson?</p> <p>13 A. Yes, sir.</p> <p>14 Q. With Charter Bank?</p> <p>15 A. Yes, sir.</p> <p>16 Q. So there was an employee at the bank that</p> <p>17 felt uncomfortable with you in the bank</p> <p>18 because of --</p> <p>19 A. This incident.</p> <p>20 Q. -- this incident?</p> <p>21 A. Yes, sir.</p> <p>22 Q. Since you left Roquemore's, you've been</p> <p>23 employed at Marvin's Building Materials; is</p>

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<p>1 that correct?</p> <p>2 A. Yes, sir.</p> <p>3 Q. And your job is what?</p> <p>4 A. I work on the woodyard.</p> <p>5 Q. And what does that job entail?</p> <p>6 A. Stacking lumber, getting up orders, helping</p> <p>7 customers.</p> <p>8 Q. Does that job entail handling money?</p> <p>9 A. No, sir. Occasionally COD's. I mean, if</p> <p>10 we make a delivery, they might write a</p> <p>11 check, COD. It goes back to the company,</p> <p>12 yes, sir. Other than that, no.</p> <p>13 Q. Did you apply for advancement within the</p> <p>14 company?</p> <p>15 A. Yes, sir.</p> <p>16 Q. And what position?</p> <p>17 A. Assistant manager.</p> <p>18 Q. And what happened to that?</p> <p>19 A. Got shot down.</p> <p>20 Q. Did you go through the employment process</p> <p>21 with the company?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Did you take the necessary required --</p>	<p>1 Q. So you're not insured? You and your family</p> <p>2 are not insured?</p> <p>3 A. My wife has got me on her emergency plan,</p> <p>4 but as far as prescription, no.</p> <p>5 Q. So you don't have a regular health</p> <p>6 insurance policy on you?</p> <p>7 A. No, sir.</p> <p>8 Q. So that's cost you some extra out-of-pocket</p> <p>9 money?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Do you feel like people look at you</p> <p>12 different now than they did when you were a</p> <p>13 police officer?</p> <p>14 A. Occasionally, yes, sir.</p> <p>15 Q. Is it because of the theft charge?</p> <p>16 A. Yes.</p> <p>17 Q. Did you discuss any alternative with the</p> <p>18 City as far as your employment prior to the</p> <p>19 termination or prior to the city council</p> <p>20 vote?</p> <p>21 A. You always talk to them about negotiating</p> <p>22 retirement.</p> <p>23 Q. Did you offer anyone at the City or make</p>
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<p>1 A. Test, yes, sir.</p> <p>2 Q. And what was the outcome of your test?</p> <p>3 A. They were good, but they wanted me to get a</p> <p>4 little more experience under my belt.</p> <p>5 Q. Do you feel like that this accusation</p> <p>6 against you for theft has been an effect on</p> <p>7 your job as assistant manager with</p> <p>8 Marvin's?</p> <p>9 A. It could have, yes, sir. They haven't</p> <p>10 said, but ...</p> <p>11 Q. But you were passed over?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Were you passed over for someone within the</p> <p>14 company?</p> <p>15 A. No, sir, someone outside the company.</p> <p>16 Q. Are you still on medication for depression?</p> <p>17 A. Yes, sir, when I can afford it, yes, sir.</p> <p>18 Q. So you lost your health insurance with the</p> <p>19 job?</p> <p>20 A. Yes, sir.</p> <p>21 Q. So you have no health insurance now?</p> <p>22 A. Where my medical bills were \$20 a month,</p> <p>23 they're 130, \$140 a month.</p>	<p>1 the suggestion to anyone with the City that</p> <p>2 you work in another department or anything?</p> <p>3 A. Yes, sir. I tried to talk to them about</p> <p>4 that, being moved to city hall or</p> <p>5 outside -- well, outside the pdice</p> <p>6 department. They wouldn't do it.</p> <p>7 Q. They weren't interested in listening to</p> <p>8 that?</p> <p>9 A. Pardon me?</p> <p>10 Q. They weren't interested in that?</p> <p>11 A. No, sir.</p> <p>12 MR. INGRAM: Bill, do you have</p> <p>13 anything?</p> <p>14 MR. HARRIS: (Shakes head from</p> <p>15 side to side.)</p> <p>16 MR. LYONS: I've got a couple of</p> <p>17 things based on what -- your</p> <p>18 lawyer has asked some</p> <p>19 questions that raised a couple</p> <p>20 of questions in my mind.</p> <p>21 EXAMINATION</p> <p>22 BY MR. LYONS:</p> <p>23 Q. You said that you are now on your wife's</p>

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<p>1 emergency health --</p> <p>2 A. Well, she's got family coverage, insurance,</p> <p>3 got me on hers, which costs more. But,</p> <p>4 now, as far as prescription cards, dental,</p> <p>5 vision and all I had with the City, I</p> <p>6 haven't got that.</p> <p>7 Q. Don't have that?</p> <p>8 A. No, sir.</p> <p>9 Q. Other than this situation at Charter Bank,</p> <p>10 have you had anyone else to say anything to</p> <p>11 you that they felt uncomfortable about you</p> <p>12 being somewhere or about you or looked -- I</p> <p>13 mean, treated you differently because of</p> <p>14 this -- because of this claim of theft?</p> <p>15 A. I don't know how people's normal feelings</p> <p>16 are or what they're thinking. I don't have</p> <p>17 a clue.</p> <p>18 Q. I'm just saying did they say anything to</p> <p>19 you?</p> <p>20 A. No, not directly.</p> <p>21 Q. And your lawyer said that you -- Did you at</p> <p>22 some point try to negotiate retirement</p> <p>23 because of this?</p>	<p>1 A. Indirectly, yes, sir.</p> <p>2 Q. You didn't talk to him about it?</p> <p>3 A. No, sir, I didn't.</p> <p>4 Q. What other position were you looking to try</p> <p>5 to change to other than ordinance</p> <p>6 inspector?</p> <p>7 A. That's about the only thing I know of</p> <p>8 offhand.</p> <p>9 Q. Okay. And this letter, Defendant's Exhibit</p> <p>10 Number 2, you were asked -- you said that</p> <p>11 people on the street -- other people had</p> <p>12 either seen it or shown it to you or</p> <p>13 something to that effect; is that correct?</p> <p>14 A. Well, they told me about it, yes, sir. I</p> <p>15 was told about it before I got to Jim's</p> <p>16 office to get the copy of it the next day.</p> <p>17 See, I actually received it on the 8th.</p> <p>18 Q. But do you know if people have actually</p> <p>19 gotten copies of the letter or they've just</p> <p>20 heard that you were terminated?</p> <p>21 A. I don't know if they got copies of the</p> <p>22 letter or not.</p> <p>23 Q. Okay.</p>
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<p>1 A. Yes.</p> <p>2 Q. I was not aware of that.</p> <p>3 And then when did you ask to be moved</p> <p>4 to another department? After you were</p> <p>5 terminated or --</p> <p>6 A. No, prior.</p> <p>7 Q. Who did you talk to about moving to another</p> <p>8 department?</p> <p>9 A. Let's see. I talked to Mike Yarbrough</p> <p>10 about being moved to city hall for ... what</p> <p>11 is it? Ordinance inspector.</p> <p>12 Q. Anybody else you talked to about being</p> <p>13 moved to another department?</p> <p>14 A. I'm trying to think. Offhand -- I talked</p> <p>15 to several people about it. Because they</p> <p>16 was supposed to open up a slot over there,</p> <p>17 and I was trying to transfer over there.</p> <p>18 Q. Did you ever talk to Joel Holley about it?</p> <p>19 A. I may have mentioned it to him. I'm not</p> <p>20 sure.</p> <p>21 Q. Not sure?</p> <p>22 Did you ever talk to the mayor about</p> <p>23 it?</p>	<p>1 A. It was in the Valley Times, so ...</p> <p>2 Q. Do you know when it was in the Valley</p> <p>3 Times?</p> <p>4 A. I'm not sure of the date, no, sir. I think</p> <p>5 it -- If the council meeting was on Monday</p> <p>6 night, I think it was on that Tuesday when</p> <p>7 they ...</p> <p>8 Q. When they voted?</p> <p>9 A. Correct.</p> <p>10 Q. On the 19th?</p> <p>11 A. Correct, if I'm not mistaken, yes.</p> <p>12 Q. And we're looking at Defendant's 4, which</p> <p>13 is the council record --</p> <p>14 A. Right.</p> <p>15 Q. -- for the December 19th meeting.</p> <p>16 What I'm asking you is, from what I</p> <p>17 understood you were saying earlier is the</p> <p>18 morning that you -- before you even came</p> <p>19 over to your lawyer's office on December</p> <p>20 the 8th to get a copy of this letter, you</p> <p>21 had already had people tell you they had</p> <p>22 heard you had been terminated by the City?</p> <p>23 A. Yes.</p>

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1 Q. Do you remember who said that to you?
2 A. Well, Eddie Chandler is one, but offhand --
3 several police officers.
4 Q. Okay. So police officers and then
5 Mr. Chandler?
6 A. Uh-huh. (Positive response.)
7 Q. Anybody else you can think of?
8 A. Then after it come out in the newspaper,
9 the phone was ringing off the hook. I
10 mean, you know --
11 Q. What your lawyer seemed to be implying is
12 that somehow, the City got this letter out
13 to other folks. Do you have any knowledge
14 that anybody other than you got a copy of
15 this letter?
16 A. Not offhand.
17 Q. Have you ever had any what you believe to
18 be personal problems or any other kind of
19 problems with Joel Holley where he would
20 single you out like this?
21 A. He was judge for 25 years. I mean, every
22 time I raised my right hand and swore to
23 him, he always believed me. Why he

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1 wouldn't believe me now, I don't know.
2 Q. But, I mean, you don't have any reason that
3 you can think of that he would single you
4 out?
5 A. Other than calling -- said I was a
6 troublemaker, so ...
7 Q. And then the mayor, you've already talked
8 about this investigation of the housing
9 authority board and then that you were --
10 A. He was on the board.
11 Q. Right, and then you supported his
12 opposition when he ran for mayor.
13 A. Correct.
14 Q. And nobody at Marvin's told you the reason
15 you didn't get the assistant manager's
16 position was to have anything to do with
17 this? It was just they told you they
18 wanted you to get more experience working
19 there beforehand?
20 A. That's what they said, yes.
21 Q. Okay.
22 A. We want you to get more experience under
23 your belt at Marvin's, but then they turn

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1 around and they go outside and hire
2 somebody with no experience at Marvin's.
3 Q. Well, did the person that they hired work
4 at another company similar to Marvin's?
5 A. I don't know.
6 Q. Do you know?
7 A. I don't know.
8 Q. He may have been working at Lowe's or Home
9 Depot, but you don't know?
10 A. I don't think so.
11 Q. You don't think so, but you don't know.
12 With your job at Marvin's, it doesn't
13 have any kind of benefits like health
14 insurance or anything like that?
15 A. You have to pay for it, and it's expensive.
16 MR. LYONS: I think that's all I
17 have. Thank you.
18 EXAMINATION
19 BY MR. INGRAM:
20 Q. Dean, who's Shirley Greenwood?
21 A. Oscar's girlfriend and secretary at the
22 police department, clerk.
23 Q. And how long has Ms. Greenwood been at the

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1 police department?
2 A. She come in after this administration come
3 in.
4 Q. And what does Ms. Greenwood do?
5 A. She's a clerk and answers the phone at the
6 police department.
7 Q. And how well do you know Ms. Greenwood?
8 A. Know her pretty well.
9 Q. Do you know what Ms. Greenwood is paid by
10 the City?
11 A. Her and several more people that are good
12 friends with the mayor started off at top
13 pay making more than what an officer was
14 that had been there three years.
15 Q. What's the top pay?
16 A. I think it's around 11 or \$12 an hour, 12
17 something an hour.
18 Q. Now, you've had a lot to say about
19 Ms. Greenwood, haven't you?
20 A. Yes, sir.
21 Q. Now, who do you think that offended?
22 A. Oscar.
23 Q. Who all did you have something to say about

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<p>1 Ms. Greenwood to?</p> <p>2 A. Docimo, Joel, Oscar. I mean, it's not fair</p> <p>3 for someone to walk in, never been in a</p> <p>4 police department, never worked around a</p> <p>5 police department to start off making more</p> <p>6 than what an officer that's been out on the</p> <p>7 street three years. That's the</p> <p>8 troublemaker, I reckon.</p> <p>9 Q. Do you think that your comments to these</p> <p>10 individuals may have had an effect upon the</p> <p>11 mayor?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Did anyone ever tell you to shut up about</p> <p>14 it or leave it alone?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Ms. Greenwood still with the City?</p> <p>17 A. As I know of, yes, sir.</p> <p>18 MR. INGRAM: Okay.</p> <p>19 EXAMINATION</p> <p>20 BY MR. LYONS:</p> <p>21 Q. Who told you to shut up about it or leave</p> <p>22 it alone?</p> <p>23 A. Chief Docimo.</p>	<p>1 Defendants.</p> <p>2 In The U.S. District Court</p> <p>3 For the Middle District of Alabama</p> <p>4 Northern Division</p> <p>5 Case Number 3:06-CV-583-DRB</p> <p>6 on Friday, December 8, 2006.</p> <p>7 The foregoing 102 computer printed pages</p> <p>8 contain a true and correct transcript of the</p> <p>9 examination of said witness by counsel for the</p> <p>10 parties set out herein. The reading and signing of</p> <p>11 same is hereby waived.</p> <p>12 I further certify that I am neither of kin</p> <p>13 nor of counsel to the parties to said cause nor in</p> <p>14 any manner interested in the results thereof.</p> <p>15 This 19th day of December 2006.</p> <p>16</p> <p>17</p> <p>18</p> <p>19 Lisa J. Nix, Registered</p> <p>20 Professional Reporter and</p> <p>21 Commissioner for the State</p> <p>22 of Alabama at Large</p> <p>23</p>
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<p>1 MR. LYONS: All right. Thank you,</p> <p>2 sir.</p> <p>3</p> <p>4 *****</p> <p>5 FURTHER DEPONENT SAITH NOT</p> <p>6 *****</p> <p>7</p> <p>8 REPORTER'S CERTIFICATE</p> <p>9 STATE OF ALABAMA:</p> <p>10 MONTGOMERY COUNTY:</p> <p>11 I, Lisa J. Nix, Registered Professional</p> <p>12 Reporter and Commissioner for the State of Alabama</p> <p>13 at Large, do hereby certify that I reported the</p> <p>14 deposition of:</p> <p>15 WENDELL DEAN VAN METER</p> <p>16 who was first duly sworn by me to speak the truth,</p> <p>17 the whole truth and nothing but the truth, in the</p> <p>18 matter of:</p> <p>19 WENDELL DEAN VAN METER, NEVA JANE VAN</p> <p>20 METER,</p> <p>21 Plaintiffs,</p> <p>22 Vs.</p> <p>23 THE CITY OF LANETT, etc., et al.,</p>	

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